



DANIEL HARRIGAN, MAYOR

CITY OF AKRON, OHIO

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Mike Freeman, President Pro-Tem

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Russel Neal, Ward 4	www.akroncitycouncil.org

Council Agenda for June 27, 2022 **DRAFT**

Regular Meeting held on June 13, 2022. All members were present. Minutes of the previous meeting approved (Neal abstained).

CONSENT AGENDA

- 1 ORDINANCE authorizing the Director of Public Service to enter into an agreement or agreements and/or legislation with the Ohio Director of Transportation for certain improvements in the City of Akron on S.R. 241 and S.R. 764; and declaring an emergency. (Public Service)
- 2 RESOLUTION declaring it necessary to improve East Wilbeth Road between the termini of Interstate 77 and South Arlington Street, Triplett Boulevard between the termini of South Arlington Street and South Seiberling Street, Massillon Road between the termini of Oakes Drive and East Waterloo Road and George Washington Boulevard between the termini of East Waterloo Road and Triplett Boulevard by resurfacing; and declaring an emergency. (Public Service)
- 3 ORDINANCE levying special assessments for the improvement of certain streets between certain termini (2021 Phase I Arterial/Collector Program) by resurfacing such streets with asphaltic concrete 402/404; and declaring an emergency. (Substitute offered as an amendment) (Public Service)
- 4 ORDINANCE levying special assessments for the improvement of certain streets between certain termini (2021 Phase I Partial Depth Pavement Replacement Program) by repaving such streets with asphaltic concrete 402/404; and declaring an emergency. (Substitute offered as an amendment) (Public Service)

- 5 ORDINANCE levying special assessments for the improvement of certain streets between certain termini (2021 Phase I Residential Resurfacing Program) by resurfacing such streets with asphaltic concrete 402/404; and declaring an emergency. (Substitute offered as an amendment) (Public Service)
- 6 ORDINANCE levying special assessments for the improvement of certain streets between certain termini (2021 Phase I Unimproved Street Resurfacing Program) by treating the surface thereof with substances designed to preserve the surface; and declaring an emergency. (Substitute offered as an amendment) (Public Service)
- 7 ORDINANCE authorizing the Mayor, or his designee, to apply for, and if granted, enter into agreements with the Water Supply Revolving Loan Account (WSRLA) for certain Water Supply Capital Improvement projects; and declaring an emergency. (Public Utilities & Green)

RULES (M. Freeman, Chair)

UP FOR PUBLIC HEARING JUNE 27, 2022:

Ordinance amending and/or supplementing Title 3, “Administration,” Chapter 30 “Mayor and Council,” Section 30.11 “Limits on Noncash Monetary and In-Kind Contributions and Loans” to increase the contribution limits for mayoral and council candidates.

BUDGET & FINANCE (M. Freeman, Chair)

NO ITEMS

PLANNING & ECONOMIC DEVELOPMENT (J. Fusco, Chair)

UP FOR PUBLIC HEARING JUNE 27, 2022:

- 1 ORDINANCE authorizing a Conditional Use to construct an addition to a medical marijuana cultivation facility at 1956 S. Main Street; and declaring an emergency. (5/23/2022)
- 2 ORDINANCE amending/supplementing Title 15, Chapter 153, “Zoning Code”, Section 153.566 “Class UPD-33 district” to allow limited access to West Bath Road from Ascot Industrial Park; and declaring an emergency. (6/6/2022)

FIRST READING AND REFERRED: UP FOR PUBLIC HEARING JULY 11, 2022:

- 3 ORDINANCE authorizing a Conditional Use to place an electronic

outdoor advertising display at 550 Dan Street; and declaring an emergency. (6/13/2022)

TIME:

- 4 ORDINANCE approving the 2022 Consolidated Annual Action Plan including applications and certifications for the Community Development Block Grant (“Community Development”), the HOME Investment Partnership (“HOME”) and Emergency Solutions Grant (“ESG”) Programs; authorizing the Director of Planning and Urban Development to enter into all necessary contracts for the operation and term of the Programs; and declaring an emergency. (6/6/2022) (Public Hearing was held 6/13/2022)
- 5 ORDINANCE accepting a dedication plat for Ascot Parkway, Extended; and declaring an emergency. (6/6/2022)
- 6 ORDINANCE amending and/or supplementing Title 1, Chapter 11, Sections 11.01 through and including 11.11 of the Code of Ordinances of the City of Akron, Ohio, by subdividing the City into wards in conformity with the 2020 Federal Census and Akron Charter Section 28a to be effective for the municipal primary election to be held on May 2, 2023; repealing existing Sections 11.01 through and including 11.11 of the Code of Ordinances of the City of Akron, Ohio, on the effective date of the new ward boundaries, authorizing the Director of Law to have prepared a more detailed map and/or description of said wards as shown by Exhibit A; and declaring an emergency. (6/6/2022)
- 7 D-498 Petition of Jamison Williams for a Conditional Use to construct an apartment development at 1793 S. Arlington Street. (6/6/2022)
- 8 D-499 Petition of Brooke Moorer for a Conditional Use to establish a type A daycare home at 350 Grand Avenue. (6/6/2022)
- 9 D-500 Petition of Ramon Hernandez for a Conditional Use to establish a short-term rental at 1764 Thornapple Avenue. (6/6/2022)
- 10 D-501 Petition of Triton Property Ventures for a Conditional use to construct a mixed use development (residential and retail); dedication and vacation of streets; and sale of City-owned property within the White Pond Office Park on the west side of White Pond Drive, south of Frank Boulevard. (6/6/2022)
- 11 D-502 Petition of Anthony L. DeVitis for a Conditional Use to construct an addition and parking at 560-580 E. Tallmadge Avenue. (6/6/2022)

- 12 D-503 Petition of Dan Nielsen, dba Kenjoh Outdoor, for a Conditional Use to place an electronic outdoor advertising display (billboard) at 550 Dan Street. (6/6/2022)
- 13 D-481 Petition of Midwest Development Projects, LLC, for a Conditional Use to construct an addition to a medical marijuana cultivation facility at 1956 South Main Street. (PC-2022-25-CU) (05-09-2022)
- 14 D-482 Petition of Brent Ian Wesley for a Conditional Use to establish a food production / commercial kitchen at 714 Sumner Street. (PC-2022-24-CU) (05-09-2022)
- 15 D-483 Petition of Scott Hernandez for a Conditional Use to construct an oversized accessory structure at 1954 Stockbridge Road. (PC-2022-23-CU) (05-09-2022)
- 16 ORDINANCE amending Title 15 “Land Usage”, Chapter 153, “Zoning Code” to reflect the enactment of the Title 15, Chapter 155 “Sign Code”; and declaring an emergency. (5/2/2022) (Public Hearing was held May 9, 2022)
- 17 ORDINANCE amending The Zoning Map by changing the Single Family Residence Use District (U1, H1, A1) at 112 S. Hawkins Avenue to a Government Use District (UG, H1, A1) Classification; and declaring an emergency. (4/25/2022) (Public Hearing was held May 9, 2022)
- 18 D-455 Rezoning of property at 112 S. Hawkins Avenue from Single Family Residence Use District (U1, H1, A1) to Government Use District (UG, H1, A1) for Fire Station 12 (PC-2022-18-RZ) (04/11/2022).
- 19 D-457 Petition of Greenview Senior Living for a Conditional Use to expand an existing assisted care facility at 327 S. Miller Road (PC-2022-12-CU) (04/11/2022).
- 20 D-458 Petition of Kenmore Construction for a Conditional Use to establish a supply yard; and the vacation of Midway Street, a portion of Ocean Avenue, and a portion of Scenic Way between Annapolis Avenue and Success Road (PC-2022-16-CU&V) (04/11/2022).
- 21 ORDINANCE amending The Zoning Map by changing the Ordinary Industry Use District (U5, H3, A1) and Commercial Use District (U4, H3, A1 and A4) Classifications within the area bounded by E. Mill Street on the north, the existing Retail Business Use District (U3) on the west, the existing University District (UD) and State of Ohio property adjacent to the Metro Regional Transit Authority property on the east and E. Exchange Street on the south, to a Retail Business Use District (U3, H3,

A3) Classification; and declaring an emergency. (3/28/2022) (Public Hearing was held April 11, 2022)

- 22 ORDINANCE authorizing a Conditional Use to establish a Type A daycare home at 1363 Diagonal Road; and declaring an emergency. (12/6/21) (Public Hearing was held January 24, 2022)
- 23 D-371 Petition of Alicia Lee, for a Conditional Use to establish a Type A daycare home at 1363 Diagonal Road. (PC-2021-58-CU) (PC-2021-38-CU) (11/15/21)
- 24 ORDINANCE authorizing a Conditional Use to establish a Type A daycare home at 434 Clinton Avenue; and declaring an emergency. (Public Hearing was held 9/20/2021)
- 25 D-302 Petition of Mayamu Konneh for a Conditional Use to establish a Type A daycare home at 434 Clinton Avenue. (PC-2021-37-CU) (9/13/21)
- 26 ORDINANCE authorizing a Conditional Use to establish and construct an addition to a bed and breakfast at 814 Bloomfield Avenue; and declaring an emergency. (Public Hearing was held 9/13/21)
- 27 D-774 Petition of Community Action Agency for a Conditional Use to construct a parking lot and the sale of City-owned land on W. Center Street. (Parcel No. 6716587) (PC-2019-63-CU & S) (9/16/19)
- 28 ORDINANCE authorizing a Conditional Use to construct an apartment development at the corner of Mull Avenue and Crawford Road; and declaring an emergency. (Public Hearing was held 6/25/18)
- 29 D-31. Petition of Lonnie Jones for a Conditional Use to establish a rooming house at 460 South Maple Street. (PC-2012-15) (4/16/12)
- 30 D-505 Petition of Joe Blough (Elegant Homes) for a Conditional Use to construct an apartment development at the corner of Mull Avenue and Crawford Road. (PC-2018-15-CU) (6/4/18)
- 31 ORDINANCE authorizing a Conditional Use to construct a parking lot on the east side of W. Center Street (PN 6716587); and declaring an emergency. (Public Hearing was held October 21, 2019)
- 32 D-45 Petition of Ngwe Tun for a Conditional Use to establish a retail use at 116 E. Cuyahoga Falls Avenue (PC-2020-09-CU) (3/16/20)
- 33 ORDINANCE authorizing a Conditional Use to establish a retail use at

116 E. Cuyahoga Falls Avenue; and declaring an emergency. (Public Hearing was held 6/29/20)

- 34 ORDINANCE amending The Zoning Map by changing the Commercial Use District Classification (U4, H4, A5) on property located on the north side of East Exchange Street, west of South Arlington Street, and changing the Commercial Use District (U4, H2, A4 and U4, H2, A1) on property located on the east side of South Arlington Street, south of East Exchange Street, to Retail Business Use District (U3, H2, A4); and declaring an emergency. (9/14/20) (Public Hearing was held - 10/19/20)
- 35 D-285 Petition of Louie Berrodin for a Conditional Use to establish a bed and breakfast and construct an addition at 814 Bloomfield Avenue (PC-2021-30-CU) (7/12/21)
- 36 ORDINANCE amending/supplementing Title 15, Chapter 153, "Zoning Code", Section 153.140 "Definitions" and Section 153.310 "Business and Industry requirements" establishing a form-based Urban Overlay district for the East Market Street Corridor; and declaring an emergency. (9/14/20) (Public Hearing was held - 10/19/20)

FILED:

PUBLIC SERVICE (T. Mosley, Chair)

REFERRED:

D-489-4 One (1) objection to Street Cleaning and Street Lighting Project R-103-2022 (late).

TIME:

- 1 ORDINANCE amending and/or supplementing Title 9, Chapter 95 "Littering," Section 95.99 "Penalty" of the Akron Codified Ordinances in order to increase the criminal sanction for littering in the City of Akron; and declaring an emergency. (5-23-2022)

FILED:

- 2 D-497 One (1) objection to off street parking lot maintenance per resolution 102-2022. (6/6/2022)
- 3 D-489-3 One (1) objection to street cleaning and street lighting project R-103-2022. (6/6/2022)

PUBLIC UTILITIES & GREEN (M. Freeman, Chair)

NO ITEMS

PUBLIC SAFETY (D. Kammer, Chair)

NO ITEMS

PARKS & RECREATION (P. Lombardo, Chair)

NO ITEMS

HOUSING & NEIGHBORHOOD ASSISTANCE (J. Fusco, Chair)

NO ITEMS

HEALTH & SOCIAL SERVICES (L. Omobien, Chair)

NO ITEMS

FILED

D-511 Letter to Council from Shelley Riley about Akron Issues

ORDINANCES & RESOLUTIONS PASSED AT PREVIOUS MEETING

ORDINANCE NO. 140-2022 authorizing the acquisition of Parcel number 6748375 from the Summit County Land Bank; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 141-2022 authorizing the acquisition by donation of Parcel number 32-052300 in Geauga County, Ohio, for watershed purposes; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 142-2022 authorizing the Purchasing Agent or Director of Public Service to enter into a contract or contracts to replace the roof of Municipal Service Center Building 1B; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 143-2022 determining to proceed with the improvement of East Exchange Street between the termini of Arc Drive and Fountain Street by paving; grading; constructing and reconstructing curbs, concrete sidewalks and driveway approaches; installing storm sewers, sanitary sewers, water mains and street lighting; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 144-2022 authorizing the Director of Public Service or his designee, after publicly advertising for bids, to enter into a contract or contracts

for the replacement of water mains owned and operated by the City of Akron on 13th Street SW, Albert Place, Avondale Drive, Charlotte Street, Dewitt Drive, Foursome Avenue, Gold Street, Nickel Street, N Valley Street, Noah Avenue, S Main Street, Schumacher Avenue, Silver Street, Springfield Center Road, and Sundale Road as part of the Water Main Replacement Program; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 145-2022 authorizing the Mayor or his designee, after publicly advertising for bids, to enter into a contract or contracts to convert two of the existing tennis courts located at Davenport Park into pickleball courts, authorizing the expenditure of funds; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 146-2022 authorizing a Conditional Use to construct an oversized accessory building at 1954 Stockbridge Road; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 147-2022 authorizing a Conditional Use to establish a food production/commercial kitchen at 714 Sumner Street; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 148-2022 authorizing a Conditional Use to establish a construction supply yard on both sides of Midway Street; and declaring an emergency. (Public Hearing was held 6/6/2022 and Substitute was offered as amendment) Vote: 10-3 (Mosley, Omobien, Neal).

ORDINANCE NO. 149-2022 expanding the existing downtown outdoor refreshment area within the City of Akron; establishing requirements to ensure public health and safety within the designated and/or expanded area; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 150-2022 reaffirming, amending, and/or supplementing portions of Titles 9, 11, and 13 of the Akron Codified Ordinances in order to effectively reassert the ban on discharging, igniting, or exploding fireworks within the City of Akron; and declaring an emergency. Vote: 13-0.

RESOLUTION NO. 151-2022 approving and confirming the appointment by Mayor Horrigan of Casey Miller as a member of the Akron Civil Rights Commission; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 152-2022 authorizing the Purchasing Agent to enter into a contract or contracts, without the formality of advertising for bids, with Tyler Technologies for the purchase of annual software user licenses for the Tyler Odyssey Case Management System (CMS); and declaring an emergency. Vote: 13-0.

RESOLUTION NO. 153-2022 accepting the honorary designation of the corner of Frederick Boulevard and Copley Road, as “Ophelia Averitt Lane”, and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 154-2022 authorizing the Director of Public Service or his designee, after publicly advertising for bids, to enter into a contract or contracts for the replacement of the gym HVAC system at the Joy Park Community Center; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 155-2022 authorizing the Purchasing Agent, without the formality of advertising for bids, to enter into an agreement or agreements for the purchase of an additional FARO 360 Degree 3D Laser Scanner and related peripheral equipment and warranties for use by the Akron Police Department; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 156-2022 authorizing the Purchasing Agent to enter into a contract or contracts, without the formality of advertising for bids, with Fallsway Equipment Co. for the purchase of supplies, repair parts, and equipment necessary to upfit new Akron Police Department vehicles for 2022; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 157-2022 authorizing the Purchasing Agent, without the formality of advertising for bids, to enter into a contract or contracts with Summit County for the use of its Firing Range by the City of Akron Police Department; and declaring an emergency. Vote: 13-0.

RESOLUTION NO. 158-2022 expressing support of the Federal Extreme Risk Protection Order Act (H.R. 2377), a “red flag” bill that would allow families, police and others to ask federal courts to order the removal of firearms from people at extreme risk of harming themselves or others and would raise the minimum age to buy semiautomatic firearms; and declaring an emergency. Vote: 13-0.

COMMITTEE MEETINGS
Scheduled for June 27, 2022:

1:00 P.M.	Planning & Economic Development	2:30 P.M.	Health & Social Services
1:45 P.M.	Parks & Recreation	2:45 P.M.	Public Utilities & Green
2:00 P.M.	Rules	3:00 P.M.	Budget & Finance
2:00 P.M.	Public Service	3:30 P.M.	Housing & Neighborhood Assistance
2:15 P.M.	Public Safety		

**NEW LEGISLATION WILL BE ADDED PRIOR TO THE
MEETING. PLEASE CHECK BACK FOR FINALIZED
AGENDA.**

DRAFT